

REMARKS

This paper is responsive to the final Office Action mailed March 19, 2007. Claims 20, 22 and 26 are currently pending in the subject application. Reconsideration of the claims in view of the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C § 102

Claims 20, 22 and 26 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0056473 to *Arneson*.

In response to arguments filed on January 10, 2007 in which Applicants requested withdrawal of the rejection on the basis of a Declaration under 37 C.F.R. § 1.132, the Examiner pointed out that the Declaration was submitted under the improper section because 37 C.F.R. § 1.132 applies to references by the same inventor(s). Thus, the Declaration is considered invalid for the intended purpose.

Applicants provide herewith a Declaration under 37 C.F.R. § 1.131 by the present inventors. The Declaration is submitted to expedite prosecution. The Declaration demonstrates that to the extent that the claimed invention is disclosed at the passages of *Arneson* that have been cited by the Examiner (see pages 2 and 3 of the Office Action), the present inventors are the inventors and only inventors of that subject matter. Applicants note that the submission of this Declaration does not constitute agreement with the Examiner's analysis of the disclosure in *Arneson*.

Accordingly, Applicants respectfully request withdrawal of the rejection of claims 20, 22 and 26.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance and an action to that end is respectfully requested.

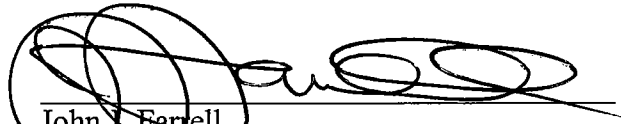
Application No. 09/973,479
PETER HARTMAIER *et al.*
Amendment under 37 CFR 1.116 Expedited Procedure

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Date 6/13/07


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